

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

JS 6

Case No. CV 18-3575 DSF (KSx)

Date 5/3/18

Title The Bank of New York Mellon v. Ae Sook Chung

Present: The
Honorable

DALE S. FISCHER, United States District Judge

Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) Order REMANDING Case to Superior Court of California, County of Contra Costa

This unlawful detainer case was removed from state court on April 27, 2018. The complaint is a state law unlawful detainer complaint and does not state a federal cause of action. The Notice of Removal fails to establish that the Court has subject matter jurisdiction. See Holmes Group, Inc. v. Vornado Air Circulation Sys., Inc., 535 U.S. 826, 830-32 (2002) (federal question jurisdiction based on allegations of complaint, not possible federal law defenses). The removal was also procedurally improper because the case was not filed in a state court within this District.

The case is REMANDED to the Superior Court of California, County of Contra Costa.

IT IS SO ORDERED.